A TRADITION OF SERVICE

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT
INCIDENT REPORT

DATE 06/07/20 PAGE 1 OF 3

ACTION: ■ ACTIVE ☐ INACTIVE ☐ PENDING | NON-CRIMINAL ☐ | # OF ADULT ARRESTS 0 | # OF SUBJECT DETENTIONS 0

URN#: 0 RETENTION | 20 YEAR | 05733 SEQUENTIAL | 1418 REPORTING DISTRICT | 011 STAT CODE | TAG# 37

CLASSIFICATION 1 / LEVEL / STAT CODE: Attempt Murder of Peace Officer, 664/187(a) P.C. / F / 011

CLASSIFICATION 2 / LEVEL / STAT CODE: Deputy Involved Shooting (Person Deceased) / N.C. / 013

CLASSIFICATION 3 / LEVEL / STAT CODE:

CLASSIFICATION 4 / LEVEL / STAT CODE:

ADDITIONAL STAT CODES: ☐ ASAP / 83 ☐ FIREARM RELATED / 830 ☐ GANG RELATED / 860 ☐ CYBER CRIME / 551 ☐ CYBER - RELATED CRIME / 552 ☐ CYBER - RELATED INCIDENT (NON - CRIMINAL) / 559 ☐ OTHER

DATE / TIME / DAY OF OCCURRENCE: 06-07-2020 / 0223 Hours / Sunday

☐ PRINTS REQUESTED ☐ PRINTS COMPLETED | REQUESTED BY | TIME

LOCATION OF OCCURRENCE: 17300 Railroad Street, Industry, CA, 91748

BUSINESS NAME: None

CODE: V - VICTIM • W - WITNESS • I - INFORMANT • R - REPORTING PARTY • P - PARTY

CODE: V # 1 of 2 | LAST NAME: Deputy | FIRST NAME: Jover | MIDDLE NAME: [redacted] | SEX: M | RACE: | DOB: Adult | AGE: | DRIVER'S LICENSE / STATE ID:

RESIDENCE ADDRESS: Los Angeles County Deputy Sheriff (141D/P) | CITY | STATE | ZIP | RESIDENCE PHONE (Area Code)

BUSINESS / SCHOOL (GRADE) ADDRESS: Industry Sheriff Station, 150 N Hudson Avenue | CITY: Industry | STATE: CA | ZIP: 91744 | BUSINESS PHONE (Area Code): 626-330-3322

ETHNIC ORIGIN | EMAIL ADDRESS | SOCIAL NETWORKING ACCOUNT | CELL PHONE (Area Code)

VICTIM OF OFFENSE(S) (CLASSIFICATION) #: # 1 | VICTIM DESIROUS OF PROSECUTION? ■ YES ☐ NO | VICTIM OF SEX CRIME DESIROUS OF CONFIDENTIALITY? ☐ YES ☐ NO | ENGLISH SPEAKING? ■ YES ☐ NO | LANGUAGE

CODE: V # 2 of 2 | LAST NAME: Deputy | FIRST NAME: Abarca | MIDDLE NAME: [redacted] | SEX: M | RACE: | DOB: Adult | AGE: | DRIVER'S LICENSE / STATE ID:

RESIDENCE ADDRESS: Los Angeles County Deputy Sheriff (141D/P) | CITY | STATE | ZIP | RESIDENCE PHONE (Area Code)

BUSINESS / SCHOOL (GRADE) ADDRESS: Industry Sheriff Station, 150 N Hudson Avenue | CITY: Industry | STATE: CA | ZIP: 91744 | BUSINESS PHONE (Area Code): 626-330-3322

ETHNIC ORIGIN | EMAIL ADDRESS | SOCIAL NETWORKING ACCOUNT | CELL PHONE (Area Code)

VICTIM OF OFFENSE(S) (CLASSIFICATION) #: # 1 | VICTIM DESIROUS OF PROSECUTION? ■ YES ☐ NO | VICTIM OF SEX CRIME DESIROUS OF CONFIDENTIALITY? ☐ YES ☐ NO | ENGLISH SPEAKING? ■ YES ☐ NO | LANGUAGE

CODE: S - SUSPECT • SJ - SUBJECT • M - PATIENT • S/V - SUSPECT / VICTIM • SJ/V - SUBJECT / VICTIM

CODE: S # 1 of 1 | LAST NAME: Doe | FIRST NAME: John | MIDDLE NAME: | DOB: Adult | AGE: | DRIVER'S LICENSE / STATE ID:

SEX: M | RACE | ETHNIC ORIGIN | HAIR | EYES | HEIGHT | WEIGHT | CELL PHONE (Area Code)

RESIDENCE ADDRESS: Unknown | CITY | STATE | ZIP | RESIDENCE PHONE (Area Code)

BUSINESS / SCHOOL (GRADE) ADDRESS: Unknown | CITY | STATE | ZIP | BUSINESS PHONE (Area Code)

AKA | EMAIL ADDRESS | SOCIAL NETWORKING ACCOUNT | ENGLISH SPEAKING? ☐ YES ☐ NO

MONIKER | CHARGE | BOOKING NUMBER | LANGUAGE | WHERE DETAINED OR CITE NUMBER

CODE | # of | LAST NAME | FIRST NAME | MIDDLE NAME | DOB | AGE | DRIVER'S LICENSE / STATE ID

SEX | RACE | ETHNIC ORIGIN | HAIR | EYES | HEIGHT | WEIGHT | CELL PHONE (Area Code)

RESIDENCE ADDRESS | CITY | STATE | ZIP | RESIDENCE PHONE (Area Code)

BUSINESS / SCHOOL (GRADE) ADDRESS | CITY | STATE | ZIP | BUSINESS PHONE (Area Code)

AKA | EMAIL ADDRESS | SOCIAL NETWORKING ACCOUNT | ENGLISH SPEAKING? ☐ YES ☐ NO

MONIKER | CHARGE | BOOKING NUMBER | LANGUAGE | WHERE DETAINED OR CITE NUMBER

BY DEPUTY: Nelson, A | EMPLOYEE #: [redacted] | SWORN EXP IN YRS: 11 | DEPUTY: Rivera, A | EMPLOYEE #: [redacted] | SWORN EXP IN YRS: 3 | VACATION DATES: 0

STATION: IDT | UNIT / CAR #: 144F4 | SHIFT: PM | APPROVED: SGT. KLINE # [redacted] | DATE / TIME: 06/07/20 0749

PCD SUBMITTED? ☐ YES ■ NO | VACATION DATES: 0 | ASSIGNMENT: Homicide

HQ NOTIFICATION REQUESTED? ■ YES ☐ NO | DEPUTY | DATE / TIME | SPECIAL REQUEST DISTRIBUTION

SUSPECT / SUBJECT FIELD RELEASE APPROVED BY | DATE / TIME | CRIME BROADCAST BY | DATE / TIME

LARCIS Entered by: MT Date: 6/7
SCAN Entered by: MT Date: 6/7

76C300F - SH-R-49 (Rev. 4/2014)

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT

INCIDENT REPORT

A TRADITION OF SERVICE

URN# 020-05733-1418-011
TAG# 37
DATE 06/07/20 PAGE 2 OF 3

VEHICLE	LICENSE (STATE & NUMBER)	YEAR	MAKE	MODEL	BODY TYPE	COLOR
VEHICLE FOR VICTIM #	REGISTERED OWNER	IDENTIFYING FEATURES				
VEHICLE FOR SUSPECT #						
STATUS ☐ STOLEN ☐ STORED ☐ DAMAGED ☐ IMPOUNDED ☐ EMBEZZLED ☐ OUTSTANDING	CHP 180 SUBMITTED? ☐ YES ☐ NO	GARAGE NAME & PHONE				
DESCRIPTION OF DAMAGE						

VEHICLE	LICENSE (STATE & NUMBER)	YEAR	MAKE	MODEL	BODY TYPE	COLOR
VEHICLE FOR VICTIM #	REGISTERED OWNER	IDENTIFYING FEATURES				
VEHICLE FOR SUSPECT #						
STATUS ☐ STOLEN ☐ STORED ☐ DAMAGED ☐ IMPOUNDED ☐ EMBEZZLED ☐ OUTSTANDING	CHP 180 SUBMITTED? ☐ YES ☐ NO	GARAGE NAME & PHONE				
DESCRIPTION OF DAMAGE						

SCREENING FACTORS

- ☐ 1. SUSPECT IN CUSTODY
- ☒ 2. SUSPECT NAMED / KNOWN
- ☐ 3. UNIQUE SUSPECT IDENTIFIERS
- ☐ 4. VEHICLE IN CUSTODY
- ☐ 5. UNIQUE VEHICLE IDENTIFIERS
- ☐ 6. WRITER/REVIEWER DISCRETION

PROPERTY CODE:

S – STOLEN • R – RECOVERED • L – LOST • F – FOUND • E – EMBEZZLED • D – DAMAGED • K – SAFEKEEPING
(Use all applicable Codes; for example, if property is both Stolen and Recovered, Code is S/R)

RELEASED TO

CODE	ITEM #	QUAN.	DESCRIPTION (include kind of article, trade name, identifying numbers, physical description, material, color, condition, age and present market value)	SERIAL #	VALUE

Industry Units responded to 17300 Railroad Street, in the city of Industry regarding a person down and medical emergency call (Tag-37). The call indicated a train headed eastbound had possibly collided with a person.

Industry Unit 141D Deputies Jover#[redacted] and Abarca#[redacted] arrived on scene and searched the area for the possibly injured person.

Deputies Jover and Abarca encountered an individual who was armed with a knife and a deputy involved shooting occurred.

The suspect was transported to Pomona Valley Hospital where he was pronounced dead by Doctor Jamenez at 0309 hours.

COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT – SUPPLEMENTAL REPORT

DATE: JUNE 23, 2020

FILE NO: 020-05733-1418-013
ACTION: ACTIVE / RESPONSE / CRIME SCENE INVESTIGATION / WITNESS INTERVIEWS / NOK NOTIFICATION / **CC#2020-04998**

C: ATTEMPTED MURDER ON PEACE OFFICER(S); ATTEMPTED MURDER; DEPUTY INVOLVED SHOOTING

D: 6-07-20 (SUNDAY) AT APPROXIMATELY 0223 HOURS

L: 17300 RAILROAD STREET, CITY OF INDUSTRY CALIFORNIA 91748

V1: DEPUTY CARLOS JOVER MH[redacted]
LOS ANGELES COUNTY SHERIFF, EMPLOYEE NUMBER [redacted] (UNINJURED)

V2: DEPUTY NATHAN ABARCA MH[redacted]
LOS ANGELES COUNTY SHERIFF, EMPLOYEE NUMBER [redacted] (UNINJURED)

V3: [redacted] MB [redacted]
(UNINJURED)

V4: [redacted] MW [redacted]
(UNINJURED)

W: (SEE BELOW)

S: JARRID HURST MW/35
DATE OF BIRTH: 09/04/84
(DECEASED)

****

EVIDENCE HELD:

GW#1 (1) Black in color, 9mm caliber, Sig Sauer P226 pistol (#[redacted]) containing 13 live rounds of ammunition recovered from Deputy Jover.

GW#2 (1) Black in color, 9mm caliber, Smith and Wesson M&P (#HRL[redacted]) containing 11 live rounds of ammunition recovered from Deputy Abarca.

GW#3 Deputy Roja's green duty pants with apparent blood stains.

GW#4 Grey clothing recovered from Pomona Valley Hospital belonging to Suspect Hurst.

GW#5 DNA reference sample taken from Deputy Abarca.

RESPONSE

On June 7th, 2020 at approximately 0315 Hours, Homicide Detectives Woodruff and Garcia were contacted by the Homicide Desk, Detective Soliz. They were assigned to investigate the circumstances regarding a deputy involved shooting that occurred in the Industry Sheriff's Station area.

On June 7th, 2020 at approximately 0430 Hours, Detectives Woodruff and Garcia arrived at the command post located at 1100 South Hatchet Avenue in the City of Industry. Detectives were briefed by Industry Station Patrol Deputy Adam Nelson regarding the incident. Deputy Nelson stated on June 7th, 2020 deputies responded to the location for a person possibly struck by a train and a medical emergency call. The deputies and train personnel searched the railroad tracks for a possible victim and were confronted by the suspect who was armed with a knife. The suspect charged at the deputies and train personnel while armed with a knife. Deputy Jover and Deputy Abarca each fired rounds from their duty weapons. The suspect sustained gunshot wounds to his legs and one to his upper torso. He was transported to Pomona Valley Hospital for treatment under medical record #4063307.

On June 7th, 2020 at approximately 0500 Hours, detectives responded to the crime scene located on the railroad tracks south of 17300 Railroad Street, City of Industry. Upon their arrival, they observed the location was cordoned off with yellow crime scene tape. Deputies were maintaining the scene security. Homicide detectives were given a walk-thru of the crime scene by Deputy Nelson.

Detectives Theodor Baljet and Julia Levenson were assigned the task of conducting the crime scene location investigation. They were assisted by Los Angeles County Crime Lab personnel. See supplemental report(s) written by assisting Homicide and Sheriff's Department Crime Lab personnel.

Detectives Alfred Jaime and David Gunner were assigned to assist Detectives Woodruff and Garcia in interviewing witnesses and obtaining surveillance footage from the involved freight train. See their supplemental report for further information.

RECOVERY OF FIREARMS AND PHOTOGRAPHIC EVIDENCE

On June 7th, 2020 at approximately 0600 Hours, F.I.S. Desiree Rollins from the Los Angeles County Crime Lab photographed Los Angeles County Sheriff's Deputies Carlos Jover and Nathan Abarca in their Los Angeles County Sheriff's Department uniforms that they were wearing at the time of the deputy involved shooting.

At approximately 0630 Hours, Detectives Woodruff and Garcia recovered two firearms (**Items GW#1** and **GW#2**) from Deputies Jover and Abarca. Present with detectives was F.I.S. Desiree Rollins. She inspected and packaged the two firearms (**GW#1** and **GW#2**). The following was noted during the inspection of the firearms:

Deputy Jover's duty weapon, a 9mm caliber, Sig Sauer "Model P226 Tac Ops," semi-automatic firearm was loaded with one live round in the chamber and twelve live rounds inside the twenty round capacity magazine.

Deputy Abarca's duty weapon, a 9mm caliber, Smith and Wesson "Model M&P," semi-automatic firearm was loaded with one live round in the chamber and ten live rounds in the seventeen round capacity magazine.

At approximately 0645 Hours, F.I.S. Rollins took possession of the recovered firearms (Items **GW#1** and **GW#2**) for processing at the crime lab.



WITNESS INTERVIEWS

On June 7th, 2020 at approximately 0715 Hours, Homicide Detectives Woodruff and Garcia spoke with [redacted] in the Industry Sheriff's Station interview room. District Attorney Byron Beck from the Los Angeles County District Attorney's Justice System Integrity Division was also present during the interview.

The interview was audio recorded and a copy of the digital audio will be transferred to disc media and made a permanent part of the case file. The following is a synopsis of the interview.

[redacted] explained in detail the events that occurred on June 7th, 2020 at the crime scene location. He told detectives he is currently employed by Union Pacific Railroads and his assignment is [redacted] and his duties are to assist the train conductor. [redacted] stated on June 6th, 2020, he started his shift at 2100 hours to end when the job was completed. He said he was assigned to work train number "[redacted]" for the shift, along with [redacted] said their trip started in Van Nuys and the destination was the city of Colton. [redacted] said he was working inside the train's locomotive traveling Eastbound in the City of Industry at approximately 43 to 45 miles per hour. [redacted] said his attention was drawn to a person walking slowly outside of the rails, Eastbound on the North side of the railroad tracks near mile post 20. [redacted] said he heard a "thunk" sound as if the train hit somebody. [redacted] said the train was stopped at mile post 20.8 and he notified the train dispatch, via radio, that the train hit somebody.

[redacted] said he and the [redacted], [redacted] walked Westbound on the tracks to search for an injured person. [redacted] said he illuminated the area with his lantern as he searched the area. [redacted] said after they walked approximately a quarter mile, he was contacted by deputy sheriffs.

[redacted] said he [redacted] and four deputies all walked Westbound on the tracks when one of the deputies pointed out a hat laying on the tracks. [redacted] said approximately 20 to 30 feet away, they saw a male "kneeling on the ground, busted up," bleeding from his head. [redacted] said he and the deputies illuminated the male with their flashlights. [redacted] said the male got up and yelled, "I'm going to get you, motherfuckers." [redacted] said the male suspect ran towards them as the deputies gave the suspect commands to, "Stop." [redacted] said he saw "something" in the suspect's right hand but could not see exactly what the object was. [redacted] said the suspect continued to advance towards the deputies with his right arm above his head. He was approximately ten feet away from them when he heard five or six gunshots that sounded like "firecrackers." [redacted] said he was approximately five feet behind the deputies when he heard the gunshots.

[redacted] said he and [redacted] then ran Eastbound to the street to get away. At the end of the interview [redacted] was asked by detectives how he felt when he saw the suspect run towards them. [redacted] said he felt scared when the suspect ran towards them.

On June 7th, 2020 at approximately 0800 Hours, Homicide Detectives Woodruff and Garcia spoke to [redacted] in the Industry Sheriff's Station interview room. District Attorney Byron Beck was also present during the interview along with Los Angeles County Sheriff's Department, Internal Affairs Sergeant Benjamin Grubb.

The interview was audio recorded and a copy of the digital audio will be transferred to disc media and made a permanent part of the case file. The following is a synopsis of the interview.

[redacted] explained in detail the events that occurred on June 7th, 2020 at the crime scene location. [redacted] told detectives he is currently employed as a [redacted] for Union Pacific Railroad. [redacted] said he started his shift on June 6th, 2020 at 2100 Hours and his assignment was to work freight train [redacted]' of the [redacted] He said he was positioned in the second motor car as the [redacted] and [redacted] and [redacted] were in the first motor. [redacted] said the train was travelling Eastbound on main track "1" at mile post 20.1 when he heard [redacted] on the radio say, "Emergency, Emergency, Emergency, we hit a pedestrian." He said the train was travelling between 43 and 47 miles per hour. [redacted] said he walked to the head end of the train and asked what had happened. [redacted] said he was told, "We hit this guy." [redacted] said [redacted] told him a guy was walking east and turned at the last second prior to being hit by the train.

[redacted] said he and [redacted] walked Westbound on the north side of the tracks and met up with two or three deputy sheriffs. [redacted] said they all continued walking as he searched the area with his lantern and saw a hat laying by the train tracks. [redacted] said he then saw a figure wearing a black shirt with long hair and a bloody face. [redacted] said at that point, he figured that person had to be the person that was hit by the train.

[redacted] said the person he saw was kneeling on his left knee and rose up. [redacted] said he expected the male to ask for help, however, the male said, "You motherfuckers" and raised his right hand. [redacted] said it appeared the male was holding something in his right hand but he could not identify the object. [redacted] said the male then charged at them from approximately 10 to 15 feet away. [redacted] said his first reaction was to turn around and start running the opposite direction. [redacted] said the time frame was approximately ten seconds from the time the suspect was kneeling to the time he got up and charged at them. [redacted] said he heard the deputies give the suspect commands to "Drop it" during

the incident. [redacted] said he then heard at least six shots being fired and the suspect went down.

[redacted] said he and [redacted] regrouped east of the crime scene location. [redacted] said he saw the deputies go to the suspect and check on him. He further said he saw an "Officer kneeling down next to him, checking his pulse." [redacted] said he also heard a deputy say, "He's still breathing" possibly getting the attention of the Fire Department personnel. During the interview, [redacted] was asked by Byron Beck from the District Attorney's Office, if he knew the time frame from when the suspect raised his right hand and charged at them to the time the first gunshot was fired [redacted] said he felt it was an appropriate amount of time for the officers to realize they were in danger and use deadly force [redacted] said he had never felt so protected in his life [redacted] added he was glad deputies arrived quickly, otherwise, he and [redacted] would have been on their own.

On June 7th, 2020 at approximately 0831 Hours, Homicide Detectives Woodruff and Garcia spoke to [redacted] in the Industry Sheriff's Station interview room. Also present for the interview was District Attorney Byron Beck along with Sergeant Benjamin Grubb.

The interview was audio recorded and a copy of the digital audio will be transferred to disc media and made a permanent part of the case file. The following is a synopsis of the interview.

[redacted] explained in detail the events that occurred on June 7th, 2020 at the crime scene location. She told detectives she is currently employed as an [redacted] for Union Pacific Railroad [redacted] said she started her shift at 2100 Hours on June 6th, 2020 [redacted] said her assignment was to operate the train as they travelled Eastbound from Van Nuys. [redacted] said on June 7th, 2020 when the train reached mile post 20, she noticed a male walking alongside the train tracks, just outside the rail [redacted] described the male as White with blonde hair [redacted] said she "Hit the horn" on the train and the male looked back. [redacted] said she knew the train hit the male, due to the "Thump" sound that she heard. [redacted] said the train was traveling under 50 miles per hour when the incident occurred. [redacted] said they dialed 911 on the radio and notified their dispatch to advise them they had hit a pedestrian.

[redacted] said [redacted] and [redacted] walked back to check the tracks while she remained on the train [redacted] said when [redacted] and [redacted] returned to the train, they told her what had occurred [redacted] said she did not see deputy sheriffs arrive nor did she hear gunshots.

On June 7th, 2020 at approximately 0906 Hours, Homicide Detectives Woodruff and Garcia spoke to **Deputy James Oh #**[redacted] at the Industry Sheriff's Station interview room.

The interview was audio recorded and a copy of the digital audio will be transferred to disc media and made a permanent part of the case file. The following is a synopsis of the interview.

Deputy Oh explained in detail the events that occurred on June 6th, 2020 at the crime scene location. Deputy Oh told detectives he was working Industry Sheriff's Station patrol unit 144A with a partner, Brian Gemmill. He said his shift started at [redacted] Hours on June 6th. Deputy Oh said he and his partner responded as an assisting unit to a call for a pedestrian struck by a train. Deputy Oh said when they arrived in their marked patrol car, he heard a person yelling at the location. Deputy Oh said he then heard approximately ten or eleven gun shots and radio traffic indicating a deputy involved shooting had occurred.

Deputy Oh told detectives, he went over to the area where the shots came from. Deputy Oh said he illuminated the area with his flashlight as other deputies illuminated the area as well. Deputy Oh said he saw a Male White laying on the ground with a knife in his right hand. He said the blade on the knife was pointing downward as the suspect held it. Deputy Oh said the male was laying approximately fifteen feet from where the deputies were standing. Deputy Oh said he heard deputies give the suspect commands to "Drop the knife."

Deputy Oh said when he arrived to the location, he was ordered to return to the patrol vehicle to obtain the ballistic shield. Deputy Oh said he then heard radio traffic indicating deputies were rendering medical aid to the suspect. He then secured the crime scene and searched for evidence.

FURTHER INVESTIGATION

On June 7th, 2020 at approximately 1030 Hours, Homicide Detectives Woodruff and Garcia drove to Pomona Valley Hospital where Industry Sheriff's Station Detectives Coker and Lopez were providing security for Suspect Hurst's body. Homicide Detectives collected a paper bag containing Suspect Hurst's clothing **(GW#4)** from Detective Coker.

SHOOTING DEPUTIES INTERVIEWS

On June 9th, 2020 at approximately 1609 Hours, Homicide Detectives Woodruff and Garcia spoke to Deputy Carlos Jover #[redacted] at the Homicide Bureau interview room. Present and representing Deputy Jover was Attorney Amy Johnson with the Law Office of Rains Lucia Stern St. Phalle and Silver.

The interview was audio recorded and a copy of the digital audio will be transferred to disc media and made a permanent part of the case file. The following is a synopsis of the interview.

Deputy Jover stated he has been a sworn peace officer since 2012 and had been assigned to patrol at Industry Sheriff's Station since 2017. Prior to becoming a sworn peace officer, Deputy Jover was in the [redacted]

On June 7th, 2020 Deputy Jover was wearing a Los Angeles County Sheriff's Department Class B uniform tan shirt with yellow and green patches on both sleeves and a hard badge on the front of the shirt. His pants were green cargo uniform pants. He was wearing his duty belt which contained pepper spray, one handcuff case, a radio, three additional 20 round 9mm caliber magazines, a collapsible baton, a knife and his duty weapon a Sig Sauer P226 Tac Ops, 9mm handgun (S/N [redacted]) **(GW#1)**.

The weapon was examined and contained one live 9mm bullet in the chamber and twelve additional live 9mm bullets in the magazine. The weapon had a frame mounted flashlight. Based on the fact that Deputy Jover told detectives he carries his firearm loaded with twenty live rounds in the magazine and one live round in the chamber, it appeared that he fired eight rounds during the shooting incident.

Deputy Jover said he started his shift at [redacted] hours on June 6th, 2020 with his partner Deputy Abarca. They were working unit 141D from [redacted] hours. Deputy Jover said they heard an emergent radio call go out at approximately 0300 hours on June 7th, 2020 and they decided to respond since they were approximately one minute away. Deputy Jover said he and Deputy Abarca coordinated with responding assisting units as they responded to Railroad Street and Azusa Avenue Code-3.

Deputy Jover said they arrived at Hatcher Avenue and Railroad Street and met with two railroad employees [redacted] and [redacted] that were walking Westbound on the railroad tracks. Deputy Jover said he and Abarca walked Westbound on the tracks with the two railroad employees. They searched the area for a person that had been struck by a train.

Deputy Jover said he illuminated a dark area with his flashlight and saw a hat laying on the ground next to the tracks. Deputy Jover said as they continued to search, he heard Deputy Abarca say, "He's right here." Deputy Jover said he saw a person kneeling on one knee facing the railroad tracks. He appeared "all bloody" from the head. Deputy Jover said he asked the person, "Hey buddy, are you OK?"

Deputy Jover said the suspect suddenly "Popped up and sprinted towards them with a knife in his right hand, held over his head." Deputy Jover described the knife as a silver metal knife. Deputy Jover said the Railroad employees ran away from the immediate area.

Deputy Jover said he realized that the suspect was running towards them with a knife in his hand. Deputy Jover stated he pulled out his duty weapon from his holster as he gave the suspect verbal commands to "Stop running, drop the knife." Deputy Jover said he back peddled to create distance when he heard Deputy Abarca ask him if the suspect had a knife. Deputy Jover said he felt the suspect was right on top of them and that he was not responding to the commands given. Deputy Jover stated he and Deputy Abarca responded by firing their duty weapons when the suspect was approximately six to seven feet in front of them.

Deputy Jover said he thought he fired five or six rounds from his duty weapon. He stated he stopped shooting when the suspect fell forward. Deputy Jover said the suspect landed on his stomach and turned his body to towards the left. While on the ground the suspect still held onto the knife.

Deputy Jover said after the shooting occurred, he broadcasted a "998, deputy involved shooting" via his radio. Deputy Jover said Deputies Malone and Yau arrived at the crime scene and assisted them by holding the suspect at gunpoint. Deputy Jover said he and Abarca formulated a plan to safely approach the Suspect and render medical aid.

Deputy Jover said the plan he discussed with Deputy Abarca was to approach the Suspect together and that he would grab the Suspect's right arm. Abarca was to remove the knife from the Suspect's hand. Deputy Jover said they approached and executed their plan. Deputy Jover said Deputy Abarca grabbed the knife from the Suspect and tossed it away from him.



Deputy Jover said Deputy Rojas arrived shortly after and assisted them in providing medical aid to the suspect. Deputy Jover said he opened the suspect's shirt and identified a gunshot wound on the suspect's chest. He said he pointed out the chest wound to Deputy Rojas and she applied a chest seal on the suspect. Deputy Jover said he then removed the suspect's pants and saw bullet wounds on the suspect's legs. Deputy Jover said Deputy Rojas then applied a tourniquet to one of the suspect's legs.

Deputy Jover said he was then separated from Deputy Abarca and subsequently transported to Industry Sheriff's Station.

Deputy Jover said he felt scared, shocked and frustrated about the shooting incident. He said he thought he responded to the call to provide help.

Detectives returned Deputy Jover's processed duty firearm (**GW#1**) to him upon completion of this interview.

On June 9th, 2020 at approximately 1643 Hours, Homicide Detectives Woodruff and Garcia spoke to **Deputy Nathan Abarca #**[redacted] at the Homicide Bureau interview room. Present and representing Deputy Abarca was Attorney Amy Johnson with the Law Office of Rains Lucia Stern St. Phalle and Silver.

The interview was audio recorded and a copy of the digital audio will be transferred to disc media and made a permanent part of the case file. The following is a synopsis of the interview.

Deputy Abarca has been a sworn peace officer since 2014 and had been assigned to patrol at Industry Sheriff Station since 2017.

On June 7th, 2020 Deputy Abarca was wearing a Los Angeles County Sheriff's Department Class A uniform tan shirt with yellow and green patches on both sleeves and a hard badge on the front of the shirt. His pants were green uniform pants. He was wearing his duty belt which contained pepper spray, two handcuff cases, a radio, two additional 17 round 9mm caliber magazines, a baton, and his duty weapon a Smith and Wesson M&P, 9mm handgun (S/N HRL[redacted]) **(GW#2)**.

The weapon was examined and seen to contain one live 9mm bullet in the chamber and ten additional live 9mm bullets in the magazine. The weapon had a frame mounted flashlight. Based on the fact that Deputy Abarca told detectives he carries his firearm loaded with seventeen live rounds in the magazine and one live round in the chamber, it appeared that he fired seven rounds during the shooting incident.



Deputy Abarca said he started his shift at [redacted] hours on June 6th, 2020 with his partner Deputy Jover. Deputy Abarca said they worked unit 141D from [redacted] hours. Deputy Abarca said they heard an emergent radio call go out of a train versus pedestrian at approximately 0220 hours on June 7th, 2020 and they responded Code-3 to the call. Deputy Abarca said he and Deputy Jover coordinated with responding assisting units and they responded to Hatcher Avenue and Railroad Street.

Deputy Abarca said when they arrived to the location, they contacted two train conductors that were illuminating the area with flashlights. Deputy Abarca said the train conductors told him the train hit a man further west of their location. Deputy Abarca said they followed the Railroad employees and looked for body parts along the tracks.

Deputy Abarca said as they illuminated the area, Deputy Jover pointed out a hat laying on the ground near the tracks. Deputy Abarca said at approximately twenty feet away, he saw a male kneeling on his left knee and bleeding from the head. Deputy Abarca said he made Deputy Jover aware by yelling, "There he is." Deputy Abarca said he asked the male if he was OK. Deputy Abarca said the male suspect got up and ran towards them with his right hand above his head.

Deputy Abarca said he and Deputy Jover back peddled approximately twenty feet and the Railroad employees turned around and ran Eastbound. Deputy Abarca said he saw an object in the suspect's hand but could not identify what it was. Deputy Abarca said he asked Deputy Jover if the object the suspect had was a knife. Deputy Abarca said Deputy Jover confirmed the suspect was holding a knife in his hand.

Deputy Abarca said they gave the suspect several verbal commands to drop the knife and to stop. Deputy Abarca said he had trouble maintaining his balance due to the gravel and uneven ground as he back peddled. Deputy Abarca said when the suspect was within ten feet of him and Deputy Jover, he thought the suspect would either get to him or the Railroad employees. Deputy Jover stated he fired four or five rounds from his duty weapon at the suspect until he fell on his face.

Deputy Abarca said the suspect continued to wave the knife around while lying on the ground. Deputy Abarca said they continued to give verbal commands but the suspect did not comply. Deputy Abarca said Deputy Jover initiated the radio traffic and broadcasted, "998, deputy involved shooting."

Deputy Abarca said he and Deputy Jover devised a plan to render medical aid to the Suspect. He said they waited for a ballistic shield to make a safe approach, however, it was taking too long to arrive. Deputy Abarca said he, Deputy Jover and Deputy Rojas approached the suspect. Deputy Jover grabbed the suspect's right wrist as Deputy Abarca grabbed the knife from the suspect's right hand and tossed it to the side.



Deputy Abarca said they opened the suspect's shirt to render aid. Deputy Rojas applied a dressing on the suspect's chest wound. Deputy Abarca said he pulled the suspect's pants down and saw a wound on the suspect's left leg. Deputy Abarca said Deputy Rojas applied a tourniquet on the suspect's left leg.

Deputy Abarca said he and Deputy Jover were removed from the crime scene and transported to the Industry Sheriff's Station.

Deputy Abarca said he felt surprised, startled and scared during the shooting incident.

After the interview, Homicide Detectives obtained a DNA reference sample from Deputy Abarca **(GW#5)**.

Detectives returned Deputy Abarca's processed duty firearm (**GW#2**) to him upon completion of this interview.

NOK NOTIFICATION

On June 7th, 2020 at approximately 1000 Hours, Detective Woodruff spoke with [redacted] who is the [redacted] of Suspect Hurst on the phone. [redacted] stated her address was [redacted] Her cellular number is [redacted]

[redacted] stated she last saw her [redacted] in February (2020) while he was at court in Arizona. She stated he was recently released from an Arizona prison. [redacted] stated her [redacted] has a history of depression and that he would take "psychic medication." [redacted] stated her [redacted] had told her in the past that he would never go back (to prison). After he was released from prison Suspect Hurst informed [redacted] that he was going "south" and that it would not be good for his parole.

Detective Woodruff informed [redacted] that her [redacted] was deceased.





AUTOPSY

On June 9th, 2020 at approximately 1000 Hours, Dr. Kennedy of the Los Angeles County Medical Examiner's Office conducted the autopsy of Suspect Jarrid Hurst, Coroner's case number 2020-04998. Homicide Detectives Woodruff and Garcia were present during the autopsy. Dr. Kennedy stated the manner of death was homicide and the mode was from a gunshot wound to the chest. Dr. Kennedy's findings will be reduced to a report, and when complete, will become a permanent part of the detectives' case file.

The Investigation continues with further reports to follow.

By: Detective Silvano Garcia Jr. #[redacted]
Detective Kasey Woodruff #[redacted]
Approved: Lieutenant Robert Westphal #[redacted] 2-11-21
Homicide Bureau, Detective Division



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF PROSECUTION SUPPORT OPERATIONS
JUSTICE SYSTEM INTEGRITY DIVISION

GEORGE GASCÓN • District Attorney
SHARON L. WOO • Chief Deputy District Attorney
VICTORIA L. ADAMS • Assistant District Attorney

RONALD GELTZ • Director

October 18, 2021

Captain Joe Mendoza
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

Re: Officer Involved Shooting of Jarrid Hurst
J.S.I.D. File #20-0194
L.A.S.D. File #020-05733-1418-013

Dear Captain Mendoza:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the June 7, 2020 fatal shooting of Jarrid Hurst by Los Angeles Sheriff's Department Deputies Carlos Jover and Nathan Abarca. Our detailed analysis of this incident is contained in the attached memorandum.

Very truly yours,

GEORGE GASCÓN
District Attorney

ALAN YOCHELSON
Head Deputy District Attorney
Justice System Integrity Division

cc: Deputy Carlos Jover, #[redacted]
Deputy Nathan Abarca, #[redacted]

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MEMORANDUM

TO: CAPTAIN JOE MENDOZA
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

FROM: JUSTICE SYSTEM INTEGRITY DIVISION
Los Angeles County District Attorney's Office

SUBJECT: Fatal Officer Involved Shooting of Jarrid Hurst
J.S.I.D. File #20-0194
L.A.S.D. File #020-05733-1418-013

DATE: October 18, 2021

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the June 7, 2020, fatal shooting of Jarrid Hurst by Los Angeles County Sheriff's Department (LASD) Deputies Carlos Jover and Nathan Abarca. We have concluded that both deputies acted lawfully in self-defense and defense of others.

The District Attorney's Command Center was notified of the shooting at approximately 3:19 a.m., on June 7, 2020. The District Attorney Response Team (DART) responded to the location, and was given a briefing regarding the circumstances surrounding the shooting and a walk-through of the scene.

The following analysis is based on investigative reports, audio recordings, the autopsy report, crime scene diagrams and sketches, photographic and video evidence, and witness statements submitted by LASD Homicide Detectives Kasey Woodruff and Silvano Garcia, Jr. No body worn video exists in this case.

FACTUAL ANALYSIS

On June 7, 2020 at approximately 2:12 a.m., Union Pacific Railroad freight train [redacted] was traveling eastbound on open track through the City of Industry at approximately 45 miles per hour. [redacted] occupied the right side of the lead locomotive cab while extra board [redacted] occupied the left side of the cab. [redacted] was riding in the second locomotive. Both [redacted] and [redacted] saw Hurst walking along the north side of the track near milepost 20. [redacted] blew the train's horn as a warning. Hurst turned and looked briefly over his shoulder at the approaching train. However, Hurst was too close to the track and was struck by the passing train. The lead engine's onboard surveillance video camera captured

Hurst as he was overtaken.[1] Although the moment of impact is not visible in the video footage, a thud is discernible from the soundtrack corroborating [redacted] statement about an audible collision.

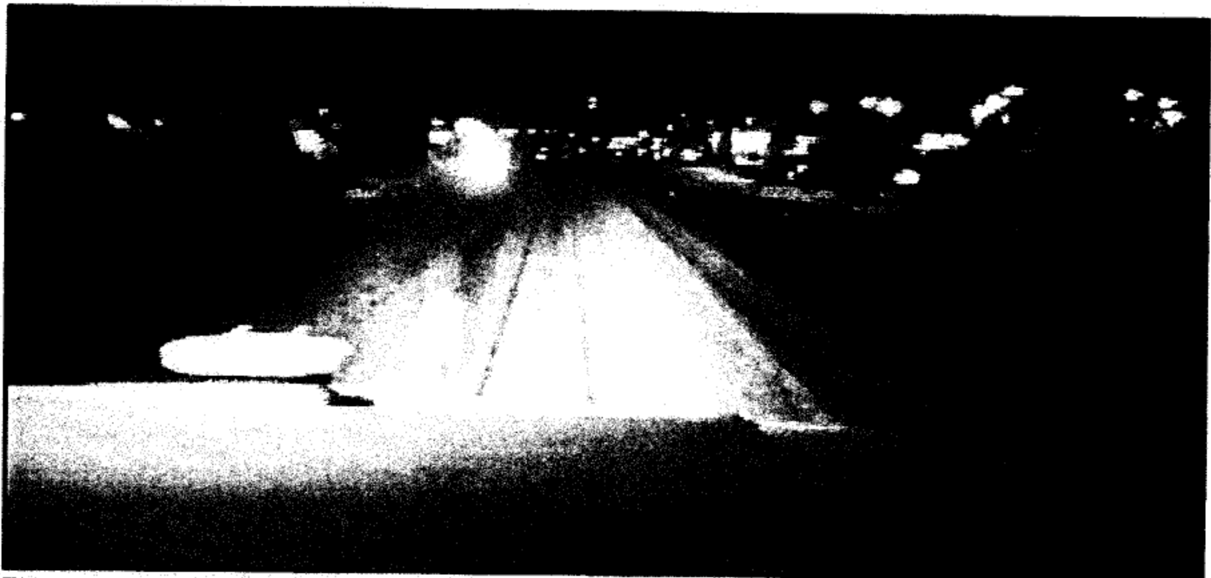


Figure 1: Hurst was captured on the train's surveillance video walking beside the track as the train approached. The time on the surveillance video at the approximate moment of impact was 2:12:43 a.m.

[redacted] broadcast an emergency radio call that the train had struck a pedestrian and the crew stopped the train.[2] [redacted] and [redacted] exited the locomotives approximately a half mile ahead of where the incident occurred. They walked back along the north side of the track to look for Hurst. [redacted] called 9-1-1.

A number of LASD patrol units responded to dispatch traffic of a train possibly striking a pedestrian, including Jover and Abarca who responded to Railroad Street. Jover and Abarca encountered [redacted] and [redacted] walking back along the tracks searching for the pedestrian. The group proceeded together using flashlights and directional lanterns in an effort to locate Hurst. While walking, they saw a hat near the rail. [redacted] spotted Hurst kneeling a short distance away, holding his left hand to the left side of his head. [redacted] said, "Hey, I think this is the guy." The group could see that Hurst had blood on his face. Jover asked, "Hey buddy, are

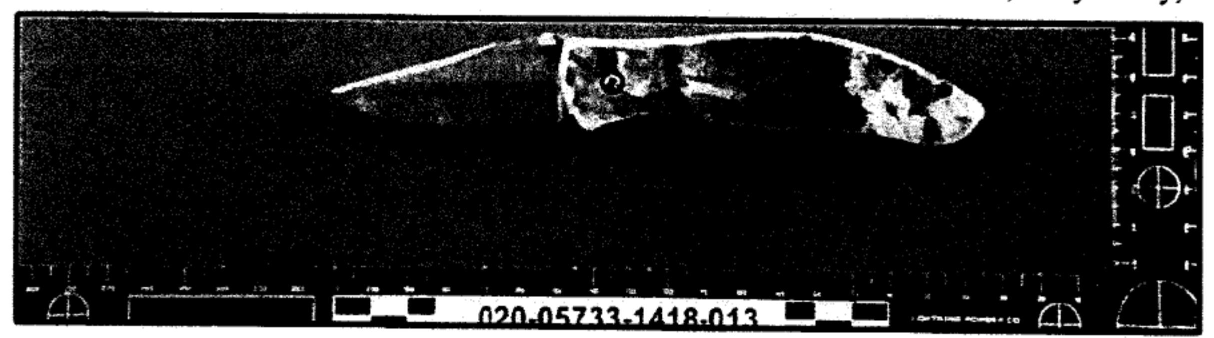


Figure 2: Photograph of the knife used by Hurst.

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[1] The area was canvassed extensively, but no other surveillance video of the scene was located.
[2] Per [redacted] the train was traveling at approximately 43 miles per hour at the time the emergency call went out. Accordingly, and as depicted by the surveillance video, it took a full minute to stop the train.

you okay?" Hurst looked up, got to his feet, and began yelling profanities. Both [redacted] and [redacted] recalled him saying, "I'm going to get you motherfuckers!" Hurst then charged towards them with his right hand clutching a knife that he raised above his head.

When Hurst charged, [redacted] and [redacted] turned and ran in the opposite direction. Jover and Abarca back-peddled and yelled, "Stop running!" and "Drop the knife!" When Hurst did not stop, the deputies fired their service weapons.[3] Jover estimated that he fired from a distance of approximately seven feet. Abarca estimated that he fired from a distance of approximately ten feet.

After being struck by gunfire, Hurst collapsed to the ground still clutching the knife in his right hand. Despite continued commands to drop the knife after being shot, Hurst maintained his hold on the weapon. Other deputies in the area heard the gunfire and converged on the scene. Jover and Abarca waited a few minutes for another deputy to bring a ballistic shield to facilitate a safe approach. However, when Hurst stopped moving and the shield had not yet arrived, Abarca and Jover formulated and successfully executed a plan to disarm Hurst so that first aid could commence. Deputy Tawnia Rojas then proceeded to administer first aid by applying a chest seal and tourniquet. Paramedics from the Los Angeles Fire Department Engine Company 118 arrived and took over administration of medical aid.[4] Hurst was transported to Pomona Valley Hospital where he succumbed to his wounds and was pronounced deceased by Dr. Michael Jimenez.

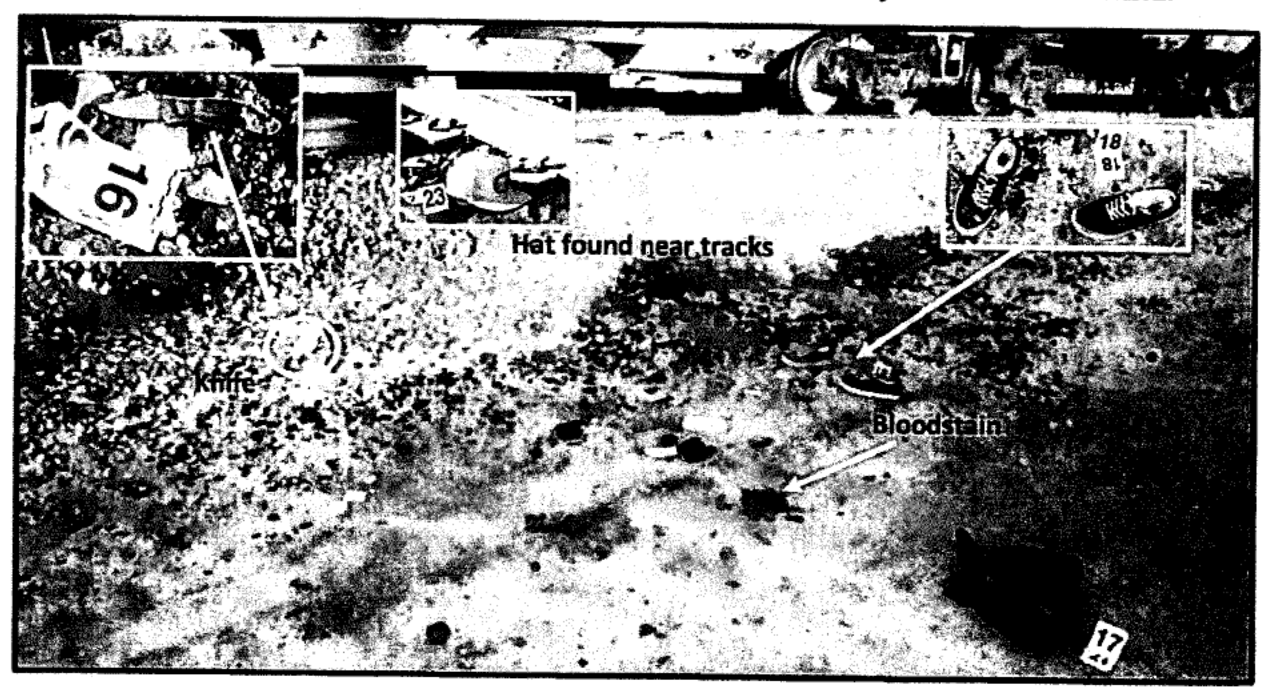


Figure 3: Bloodstain is visible near center of photograph. Items of Hurst's clothing are depicted by markers 17 and 18. The knife is denoted by evidence marker 16. A hat was located near the track (inset photograph showing evidence marker 23). Other depicted items nearby were related to first aid treatment.

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[3] A 2:28 a.m., LTAC radio broadcast contained the statement "998" (a code referencing an officer involved shooting). Multiple LASD deputies in the area at the time shots were fired corroborated details of Jover's and Abarca's accounts, e.g., yelling, a charge, Jover and Hurst back-pedaling, and commands to stop followed by gunfire.

[4] A 2:36 a.m., LTAC radio broadcast confirmed the application of a tourniquet and paramedics on scene attending to Hurst.

Jover's service weapon, a Sig Sauer 9mm semiautomatic pistol, was examined and found to contain one live round in the chamber and twelve rounds in the magazine. Based on Jover's statement that he routinely carries his firearm loaded with 20 rounds, it appears that Jover fired eight rounds. Abarca's service weapon, a Smith and Wesson M&P 9mm semiautomatic pistol, was examined and found to contain one round in the chamber and an additional ten rounds in the magazine. Based on Abarca's statement that he normally carries his weapon loaded with a total of 17 rounds, it appears that Abarca fired seven rounds. Two distinct groups of shell casings were located near the scene and provided evidence of the deputies' positions when they fired. The first group of casings, numbering seven, was located about ten feet north of the train track. The second group, eight in number, was located approximately ten feet north of the first group.[5]

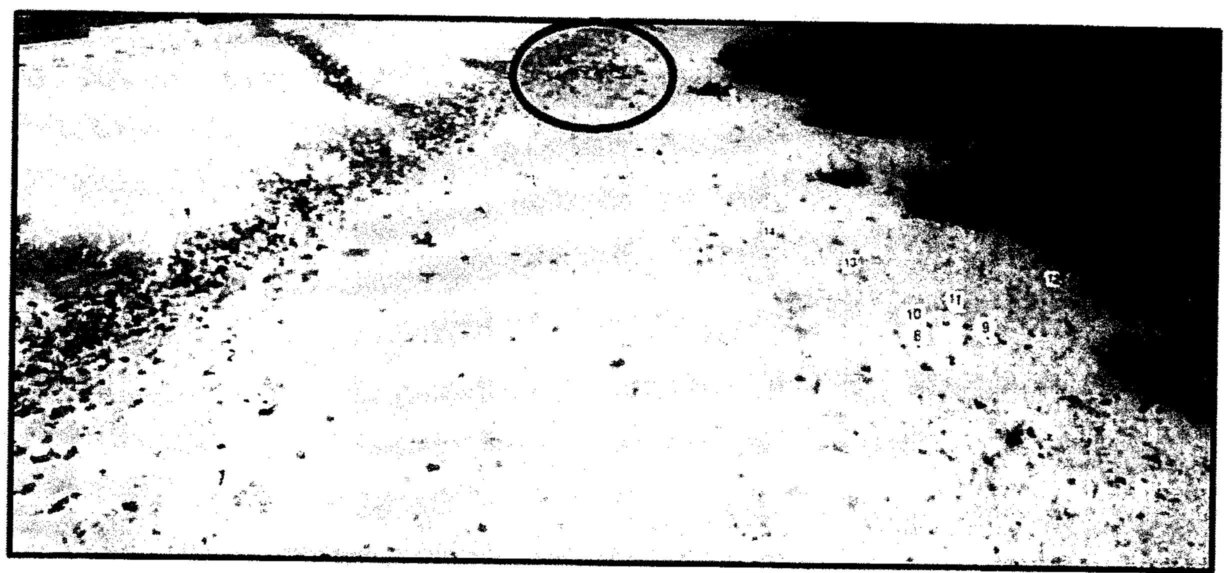


Figure 4: The first group of shell casings was marked with evidence markers one through seven and the second group was marked eight through 15. The red oval indicates the area where Hurst collapsed after being shot.

On June 9, 2020, Deputy Medical Examiner Martina Kennedy performed an autopsy on Hurst's body. Kennedy concluded that death resulted from multiple gunshot wounds. Five gunshot wounds were described in the autopsy report. Only one of the gunshot wounds was specifically denoted as fatal. The fatal wound entered Hurst's right upper chest, traveled front to back, right to left, and downward. Two bullet fragments were recovered in association with the fatal wound. A toxicology report confirmed that methamphetamine and marijuana were present in Hurst's bloodstream. The report also noted that Hurst had numerous blunt force injuries, including abrasions to the face and forehead as well as contusions and abrasions on his back, abdomen, and legs. While the report did not opine the cause of these blunt force injuries, they appear consistent with someone struck by a moving train.

A folding knife was found with the blade in the open position close to where Hurst fell. The DNA section of the LASD Scientific Services Bureau performed analysis on two swabs taken from the knife. One of the swabs sampled a bloodstain on the knife's handle. The other swab sampled the handle from areas absent of obvious blood. In both cases, DNA profiles generated by the swabs (and compared to a reference sample) were found with overwhelmingly probabilities to have originated from Hurst rather than some other unknown individual.

[5] The investigative report provided by LASD contained no ballistic reports.

LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of others if the person claiming the right actually and reasonably believed that he or others were in imminent danger of great bodily injury or death. Penal Code § 197; *People v. Randle* (2005) 35 Cal.4th 987, 994 (overruled on another ground in *People v. Chun* (2009) 45 Cal.4th 1172, 1201); *People v. Humphrey* (1996) 13 Cal.4th 1073, 1082; *see also,* CALCRIM No. 505.

A peace officer is justified in using deadly force upon another person when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary for either of the following reasons: (1) to defend against an imminent threat of death or serious bodily injury to the officer or to another person; or (2) to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended. Penal Code section 835a(c)(1)(A) & (B).

A threat of death or serious bodily injury is imminent when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the peace officer or another person. An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed. Penal Code section 835a(e)(2).

When considering the totality of the circumstances, all facts known to or perceived by the peace officer at the time, including the conduct of the officer and the subject leading up to the use of deadly force is taken into consideration. Penal Code section 835a (4) & (e)(3). The peace officer's decision to use force is not evaluated with the benefit of hindsight and shall account for occasions when officers may be forced to make quick judgments about using force. Penal Code section 835a(4).

In evaluating whether a police officer's use of force was reasonable, it is helpful to draw guidance from the objective standard of reasonableness adopted in civil actions alleging Fourth Amendment violations: "The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than the 20/20 vision of hindsight. . . . The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation." *Graham v. Connor* (1989) 490 U.S. 386, 396-397.

The evidence in this investigation shows deputies responding to a call of someone struck by a train -- a type of call not normally expected to produce an armed encounter with an aggressive assailant. When asked if he was okay, Hurst unexpectedly charged, knife in hand, while shouting in a threatening manner. Given the short distance between Jover, Abarca, and their assailant, the deputies had little time to react. Civilian witnesses turned and ran. The deputies gave Hurst verbal commands to drop the knife and stop. Hurst pressed the attack, appeared bent on causing harm, and

was armed with a deadly weapon. Consequently, Hurst was shot a short distance away. Given the totality of the circumstances of this tense, uncertain, rapidly evolving and perilous situation, Jover and Abarca's decision to use deadly force was reasonable.

CONCLUSION

We find that Deputies Jover and Abarca acted in lawful self-defense and defense of others when they used deadly force against Jarrid Hurst.